## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

VICTOR HUGO ORTEGA HERNANDEZ, individually and on behalf of others similarly situated,

Plaintiffs,

-against-

MUZZARELLA INC. (d/b/a MUZZARELLA PIZZA), and JOHN RUSSO,

Defendants.

Case No. 17-cv-6164

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED and agreed, by and between the undersigned attorneys for the parties, that the Complaint and any and all claims that were or could have been asserted in this action by any party are hereby, dismissed in their entirety, with prejudice, as to Defendants Muzzarella Inc. (d/b/a Muzzarella Pizza) and John Russo and with each party to bear their own costs, expenses, disbursements, and attorneys' fees.

Dated: February 5, 2019 New York, New York

Sara Isaacson, Esq.

Michael Faillace & Associates, P.C.

Attorneys for Plaintiffs 60 East 42<sup>nd</sup> St. Suite 4510 New York, NY 10165

Tel: (212) 317-1200 Fax: (212) 317-1620

Email: sisaacson@faillacelaw.com

/s/ Joshua D. Levin-Epstein

Joshua D. Levin-Epstein, Esq. Levin-Epstein & Associates, P.C. Attorneys for Defendants 1 Penn Plaza, Suite 2527 New York, New York 10119

Tel: (212) 792-0046 Fax: (212) 563-7108 Joshua@levinepstein.com

SO ORDERED:

Hon. Katherine Polk Failla United States District Judge